

Intertextuality in Courtroom Interaction in Mainland China

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Abstract

In Chinese court proceedings, discourse is rich in intertextual resources, including direct quotations, indirect references, mentions, and evaluations. The first three forms of intertextual resources are primarily used to provide evidence, establish targets, and offer background information. Evaluation, as an intertextual resource, is often used in conjunction with the first three to comment on viewpoints and present opinions. Intertextuality in Chinese court discourse has a strong written characteristic, particularly in quotations of written testimonies from witnesses, together with untraceability, which impact the reliability of witness testimonies.

Keywords

Intertextuality, Courtroom discourse, Chinese.

1. Introduction

“Intertextuality” refers to the inclusion of other people’s discourse or fragments of other texts within a given discourse (Kristeva 1986), which was introduced to discourse linguistics by Beaugrande and Dressler (1981), in which intertextuality was defined as “the way in which the production and interpretation of a discourse depend on the participants’ knowledge of other discourses.” After that intertextuality was discussed in various types of discourses, including literary discourse (Bloom 1997, Bakhtin 2010, Calder 2022), academic discourse (Groom 2000, Luzón 2023), media and pop culture discourse (Duff 2003, Hart 2017), political discourse (Zinken 2003, Szudrowicz-Garstka 2014), advertising and marketing discourse (Deng, Laghari & Gao 2021, Kong 2001), and legal discourse (Bhatia 1998, D’hondt & van der Houwen 2014). As an important part of legal discourse, courtroom discourse studies gained vigorous development these years and intertextuality in courtroom discourse is a *vita* topic. Intertextuality plays a crucial role in courtroom discourse, as legal proceedings often involve the referencing and interplay of various texts, such as laws, precedents, legal doctrines, and legal opinions. Intertextuality not only creates connections between the current discourse and previous discourses but also makes the legal relationships between specific legal discourses or multiple related legal discourses more concrete and clearer (Bhatia, 1998). Bazerman (2009) discussed the impact of scientific references on judicial reasoning and conclusions during trials, emphasizing that intertextual analysis can serve as a useful tool in court proceedings to determine the effectiveness of incorporating scientific knowledge into legal issues. D’Hondt and Van der Houwen (2014) found that various written documents in the trial hearing process were extensively quoted, cited, paraphrased, summarized, and recontextualized. This is crucial for accurately understanding how trial participants negotiate versions of events with specific legal implications. Speech reporting is a significant intertextual strategy, and Chaemsaitong (2017) analyzed the forms, functions, and frequencies of reported speech in courtroom statements, discovering that quoting others’ words helps lawyers construct different versions of cases and make them argumentative. Snejder (2014) found that direct quotations in Dutch courtroom closing statements are nested within a three-step rhetorical structure. Prosecutors and defense

attorneys cleverly use quotes to change the viewpoints presented in previous case statements. Existing research illustrates the importance of intertextuality in courtroom discourse and explains some intertextual phenomena in trial language. However, a comprehensive and systematic study of intertextuality in Chinese courtroom discourse, which is quite different from western legal system, is yet to be undertaken. Therefore, this paper is dedicated to analyze intertextuality in Chinese's courtroom discourse.

2. Intertextuality in Chinese courtroom discourse

Intertextuality, as Fairclough (1992) explains it, refers to the ways in which a discourse or text makes reference to, quotes, imitates, or draws upon other discourses or texts. Through intertextuality, a discourse can establish connections and relationships with other texts, thereby contributing to the creation and dissemination of meaning. In Fairclough (1995) intertextuality encompasses both direct and indirect intertextuality. Direct intertextuality refers to explicit references or quotations from other texts, while indirect intertextuality involves more subtle influences, such as implied references, allusions, or borrowing of linguistic structures or discursive strategies. In Bazerman (2004), intertextuality refers to the explicit and implicit relations that a text or utterance has to prior, contemporary and potential future texts. Through such relations a text evokes a representation of the discourse situation, the textual resources that bear on the situation, and how the current text positions itself and draws on other texts. In this paper, classification of intertextuality in Bazerman (2004) is applied to analyze and identify four intertextual techniques present in courtroom discourse: direct quotations, indirect quotations, mentions, and commentary.

2.1. Direct Quotation in Chinese courtroom discourse

Direct quotation is one of the most direct intertextual methods, using the words of others to construct and convey one's own viewpoint (Bazerman 2004). Direct quotation is usually identified by quotation marks, indentation, italics, or other typographic setting apart from the other words of the text. Although the words may be entirely quoted from those of the original author, it is important to remember that the second author, in quoting the writing, has control over exactly which words will be quoted, the points at which the quote will be snipped, and the context in which it will be used.

Methods for identifying intertextuality in Bazerman (2004) is primarily used to recognize written quotations, which can be indicated through the use of quotation marks, indentation, italics, or other formatting settings that separate them from the rest of the text. In the context of courtroom discourse, which involves mostly spoken interactions, the identification of direct quotations relies primarily on intonation, personal pronouns, and other contextual cues. In a courtroom setting, direct quotations encompass references to written documents as well as verbal paraphrases. Quoting written documents in a courtroom involves a verbatim reproduction of the original text and often carries the formality and seriousness associated with the document's format. Such references to written documents are very common and diverse in a courtroom setting and include items such as expert reports, trial judgments, witness testimonies, and more.

(1)Expert Opinion: The appraisal from Hunan Xingtai United Accounting Firm regarding the private distribution of state-owned assets by Ou XX, Chen XX, and Wu XX. The appraisal was commissioned by the XX Intermediate People's Court in XX City, and the commissioned appraisal matter pertains to the cost value of products totaling 82.09813 million yuan. I. Finished product, black tungsten, 32.7283 tons: Is it a product produced through self-rescue production or a product concealed from the original XX Tungsten Mine? (鉴：湖南兴泰联合会计事务所关于欧XX、陈XX、伍XX私分国有资产一的鉴定，委托人XX市中级人民法院，委托

鉴定事项：成本价值为8, 82.09813万元产品的属性。一、产成品黑钨32.7283吨，是生产自救生产的产品还是原川口钨矿隐瞒下来的产品.....)

In Example 1, the expert read aloud the contents of the appraisal report issued by the accounting firm without adding any processing or alteration during the interaction, which falls under the category of direct quotation from a written document. Simultaneously, as a key participant in the appraisal process, the expert is also engaging in direct self-reference by quoting his own previous statements. This direct quotation of the written document occurs during the presentation of evidence and cross-examination. The expert's direct quotation of the content from the appraisal report aligns with his own role and position, allowing him to objectively inform the audience about the appraisal matters, evidence, and conclusions. This, in turn, facilitates discussion and cross-examination of the content by various participants in the courtroom. However, due to its heavily written nature, it lacks the characteristics of oral interaction commonly seen in courtroom discourse.

(2) Appellant: One of its errors is that the first-instance judgment concludes that the appellant intentionally concealed the production of tungsten sand in finished products and had the subjective intention of illegal possession of white tungsten products. This conclusion presents a contradiction with the earlier and later portions of the first-instance judgment... The first-instance judgment includes the following statement: "The defendants, Ou XX and Chen XX, were only clearly assigned by their superiors to reorganize the enterprise in August 2002. Prior to that, they were not fully aware of the whereabouts of XX Tungsten Mine after its bankruptcy. Even if they had some thoughts of leaving some assets for the reorganized enterprise, it was not for personal gain but for the benefit of the reorganized enterprise. Subjectively, they did not have the intention of knowingly illegally possessing state-owned assets."

(2) 上诉人：它的错误之一，就是一审判决书认定上诉人隐瞒产成品钨砂以及在产品白钨主观上具有非法占有的故意，这一认定与一审判决书的前后出现了矛盾之处.....在一审判决书有这样的表述，它前部分的表述是，“被告人欧XX、陈XX是2002年8月才由上级领导明确去重组企业，先前并不十分清楚XX钨矿破产后自己的去向，思想上即便有留点资产给重组企业的想法，也不是为了个人，而是替重组企业着想，主观上不具有明知是国有资产而非法占有的故意。”

The second example is from the courtroom debate. In this example, "The first-instance judgment includes the following statement" indicates that the words followed are quoted from the first-instance judgment. Furthermore, the usage of "Ou XX", which refers to the defense who were speaking, and the usage of "their" and "they" indicates that this is a direct quotation.

The defense in this example first points out "This conclusion presents a contradiction with the earlier and later portions of the first-instance judgment", and then Quotes content from the judgment as evidence to support his own viewpoint, with direct quotations as evidence, "enables listeners to witness and judge for themselves" (Galatolo 2007). Objective direct quotation to the judgment allows the speaker to step aside and present a neutral perspective, enabling onlookers to make their own judgments and thus be more inclined to accept the speaker's viewpoint.

(3) Prosecutor: On this point, in fact, the Chief Accountant and Accountant Tan Qiuyan's original testimonies have already been quite clear. Perhaps it's worth reading them out again here. Financial Director Wang Benyu confirmed, "After the bankruptcy of XX Tungsten Mine, in order to leave some assets for the new company, the Mining Department had multiple discussions and decided to conceal the finished products from the new company. As a result, they prepared Voucher No. 317, dated June 5, 2002, which falsely reflected the offsetting of over 570,000 yuan in total operating costs against finished product tungsten. This voucher was prepared by Tan Qiuyan, and I reviewed it. However, it was not prepared on June 5th but was backdated to June 5th to make it appear that there were no finished products in the assessment report, causing

the finished products to disappear...” 检：这一点以后事实上会计科长和会计谭秋艳原来也原来的证词呀已经说得很清楚了，不妨在这里再宣读一下呀，财务科长王本玉证实“川矿破产后，为了给新企业留点资产，经矿务会多次讨论决定把产成品隐瞒给新企业，于是填制了2002 6月5号转制第317号凭证，反映的全营业成本57万多元的冲减产成品钨的假的凭证，该凭证由谭秋艳填制，我审核，但不是6月5号当日填制的，而是6月5号之后补做的，便于使评估报告上没有产成品，使产成品消失.....”

Example 3 comes from the courtroom debate, where the statement “Perhaps it's worth reading them out again here” indicates that the source belongs to written testimonies of witnesses. “I reviewed it” is a first-person reference, constituting a direct quotation from the witness’s testimony. The prosecutor’s viewpoint interacts with the transcribed testimonies of multiple witnesses during the investigation phase. Witness testimonies are initially verbally expressed by the witnesses and recorded by the prosecution’s investigators. They undergo the transformation from oral to written language before reaching the prosecutor. Therefore, the use of witness testimonies as supporting evidence for the prosecutor’s argument underscores the need for further discussion regarding whether these testimonies can be admitted as evidence. The usage of direct quotation, and providing the source of the quotation helps maintain the neutrality of witness evidence, and enhance its credibility.

In courtroom interactions, direct quotation refers to quoting the original utterance, including its tone, intonation, and wording, without any modification or processing (Leech & Short 1981:255). This is primarily characterized by the use of personal pronouns, shifts in rhythm, and context cues for identification. Direct quoting in the courtroom encompasses the citation of a substantial amount of written evidence and witness testimonies related to the court proceedings. These citations create intertextuality with the spoken discourse in the courtroom and primarily serve three functions: providing background information, serving as evidence, and raising objections. Among these functions, the role of serving as evidence is the most prominent.

Most of this intertextual resource is generated during the process of presenting and cross-examining evidence and during courtroom debates. In terms of form, the content of direct quotations is entirely derived from the source being quoted, remaining faithful to the original information. However, because the traceability of written evidence in a live courtroom setting is limited, the quoter has the ability to control the choice of words and the proportion of the quotation to serve their own purposes.

2.2. Indirect Quotation

Indirect quoting typically involves specifying a source and using words and explanations that reflect the author’s understanding of the original text in an attempt to reproduce the original meaning. Indirect quoting allows authors to convey their own attitude by filtering the meaning of the original text through the vocabulary they use, integrating it more thoroughly into their own purposes (Bazerman, 2004). This concept of indirect quoting overlaps with the notions of signifier and signified meaning in intertextuality. Indirect quoting provides a specific source and viewpoint, serving as a particular text or signifier, while the quoter associates it with any other viewpoints and ideas, thus becoming the signified. These two aspects have an intertextual relationship, leading to an intertwining and dialogue between the two viewpoints. In the courtroom, indirect quoting also includes references to both written documents and oral statements. The difference lies in the source, but both involve citing the original author’s concepts, viewpoints, and expressions in an interpretative and summarizing manner.

(4) Judge: In accordance with the provisions of Articles 32, 159, and 160 of the Criminal Procedure Law of the People’s Republic of China, the parties and defense lawyers have the following legal rights during the courtroom trial process: 1) They can submit evidence, apply

for the presence of new witnesses, request the retrieval of new evidence, and request reexamination or inspection. 2) Appellants have the right to self-defense. 3) Appellants have the right to make a final statement after the conclusion of the courtroom debate. 审：根据中华人民共和国刑事诉讼法第32条第159条第160条之规定当事人、辩护人在法庭审理过程中依法还享有下列诉讼权利：一、可以提出证据、申请新的证人到庭、调取新的证据；重新鉴定或者勘验、检查。二、上诉人可以自行辩护；三、上诉人可以在法庭辩论结束后作最后陈述。 This example is derived from pre-trial basic fact verification. The judge explicitly pointed out that the source of the statement is the Criminal Procedure Law. The following three rights were discovered to be indirect quotations by aligning them with the provisions of Articles 32, 159, and 160 of the Criminal Procedure Law of the People's Republic of China. In the process of paraphrasing, the content was summarized and simplified. The judge used this summarization to indirectly quote the content of the three legal provisions, creating intertextuality with the ongoing discourse in the courtroom. This effectively fulfills the responsibility and obligation to inform, helping the listener to better understand and exercise their rights. Additionally, statutes and legal articles have mandatory and universally binding force, and indicating the source lends greater justifiability and authority to one's own viewpoint.

(5)Appellant: Grounds for Appeal: Firstly, in the first-instance court, the appellant was found to have concealed 32.7283 metric tons of black tungsten in finished products and 22.8671 metric tons of white tungsten, which is inconsistent with the objective facts. Subjectively, the appellant did not have the intention to conceal finished products, and there was no subjective intent on the part of the appellant. Objectively, the appellant neither committed nor had the right to commit the act of concealing finished products. 上诉人：上诉理由：一、一审法院认定上诉人隐瞒产成品黑钨三十二点七二八三吨，在成品白钨二十二点八六七一吨，与客观事实不符。上诉人主观上不存在隐瞒产成品和在产品的主观故意，上诉人客观上没有实施也没有权利实施隐瞒产成品的行为。

Example (5) consists of the grounds for appeal as stated by the appellant. The appellant begins by providing the source of the quotation, stating, "In the first-instance court's determination". Then the content of this determination was indirectly quoted, that is, "the appellant concealing 32.7283 metric tons of black tungsten in finished products and 22.8671 metric tons of white tungsten". It is evident that this involves the selection or summarization of the first-instance court's determination. Through this indirect quotation, the appellant incorporates the first-instance court's determination into the current context, creating intertextuality. The indirect quotation is used as a target, followed by subsequent rebuttal and attack.

Indirect quotation primarily draws from various legal provisions, legal documents, including pre-trial witness testimonies, and more. Quoting legal statutes as evidence underscores the professionalism and authority of court proceedings. However, for defendants and lay spectators without a legal background, this often appears convoluted and difficult to comprehend. Hence, indirect quotation, achieved through paraphrasing, makes legal statutes more accessible, aligns them with the current context, and facilitates understanding and acceptance by the audience. Indirect quotation of various legal documents and evidence during the investigative and courtroom debate phases can serve as evidence, provide background information, or elucidate the origin of one's standpoint.

In the courtroom, there is also a particular form of indirect quotation, namely, the quoting of preceding statements made by oneself or others. As illustrated in the following example:

(6)Defense: Ou XX, I am the defense attorney for Wu XX, and I would like to clarify a few points with you. Please answer truthfully. When did Wu XX start working at the mine again? Do you have a rough recollection? 辩：欧XX，我是伍XX的辩护人，下面有几个问题想向你核实一下。请你如实回答。那个伍XX是什么时候回矿里上班的？你大概记得吗？

Appellant: I only know that I hired him as an accountant after XX Company was established. I am not aware of events prior to that. 上：我只知道是XX公司成立以后我聘请他作过会计。前面的事我不清楚。

Defense: You are not aware of events before XX Company was established, but you remember he was hired as an accountant after XX Company was established, right?

辩：前面的事不清楚，就是XX公司成立以后他聘作会计是吧？

During the courtroom questioning phase, after the appellant responds to the defense attorney's questions, the defense attorney rephrases the appellant's response, indirectly quoting the appellant's words and seeking confirmation. By paraphrasing the appellant's immediate prior speeches according to his own logic, the defense attorney restructures the answer, creating intertextuality with the appellant's previous response. This serves to highlight key points within the appellant's response and requests confirmation from the appellant, thereby achieving the defense attorney's intended purpose in court.

This type of indirect quotation in courtroom, where previous statements are quoted, with no need to indicate the source, is similar to the indirect quotation of legal documents and regulations. They undergo transformations based on the author's thoughts and objectives, allowing a high degree of control. Many times, they can artfully integrate with the author's own intentions, serving as evidence or targets, and leveraging the credibility and persuasiveness of the referenced source. In courtroom proceedings, the use of indirect quotations facilitates public understanding of the referenced viewpoints while providing greater control over the quoted material, allowing for the subtle transmission of one's own perspectives.

2.3. Reference

The term "reference" refers to mentioning of a person, document, or statements (Bazerman, 2004). Reference involves drawing on bites of a text, echoing and building upon it. Mentioning a document or author relies on the reader's familiarity with the original source and what it says. No details of meaning are specified, so the second writer has even greater opportunity to imply what he or she wants about the original or to rely on general beliefs about the original without having to substantiate them, as the news reporters do with respect to proponents and critics.

Both reference and quotation are forms of intertextuality, but they manifest differently. Just as what has been discussed, quotation involves directly or indirectly quoting specific content from the original text to ensure conveyance of the original author's viewpoint. Reference is often included within quotations as a source of information and has an evidential characteristic. Reference merely mentions or briefly describes the information source or external entity in the original text, without the need to directly or indirectly quote specific content from the original text. It is often used to provide background information or evidence. For example:

(7) Defense: The entity that can constitute the crime of embezzlement of state-owned assets can only be the former XX Tungsten Mine. In other words, if the former XX Tungsten Mine engaged in the criminal act of embezzling state-owned assets before its bankruptcy declaration on June 6, 2002, according to a judicial interpretation by the Supreme People's Procuratorate, specifically the document Gao Jian Fa [2002] No. 4, the former Chuan Kou Tungsten Mine would be exempt from retroactive prosecution because it has already gone bankrupt and no longer exists as a legal entity. However, the criminal responsibility of the former XX Tungsten Mine's former responsible officials and other directly responsible individuals should be pursued.辩：

构成私分国有资产犯罪的单位主体只能是原XX钨矿，也就是说在2002年6月6日XX钨矿宣告破产以前，如果原XX钨矿发生了私分国有资产的犯罪行为，那么则根据最高人民检察院的一个司法解释，就是高检法2002 4号文件，对原来的川口钨矿是免于追溯的，因为它已经破产了，主体不存在，但应当追究原来XX钨矿原来直接负责的主管人员和其他直接责任人的刑事责任。

This example is derived from a courtroom debate where the defense attorney mentioned a specific legal document, Gao Jian Fa [2002] No. 4. By doing so, the defense attorney incorporated it into the context and discourse, creating intertextuality. By referencing this legal document, the defense attorney provided the background and basis for their interpretation, offering strong support for his argument.

(8) Appellant: In accordance with the judgment from the first-instance court and the prosecution's allegations against me, I would like to discuss their charges and the judgment. Regarding this matter... within the case files of the prosecution, there is no evidence to prove my involvement, or that I am aware of the asset assessment. However, there is a significant amount of evidence to show that I did not directly participate in the inventory and assessment of these assets. For instance, testimonies from individuals such as Huang Zhengxue, Wang Benyu, Tan Qiuyan, and some witnesses from the assessment department all demonstrate that I did not directly participate in the inventory and assessment of the assets at that time. 上诉人：根据一审法院对我的判决和检察院的指控，我想对他们的指控和判决，这个谈一下.....这个检察院的案卷材料当中，没有一个证据证明我参加了，我知道资产评估的情况，但是有大量的证据证明我当时没有直接参与这个资产的清查和评估，比如黄正学，王本玉、谭秋艳，还有评估司的一些证人证言都证明我当时没有直接参加资产的清查和评估。

In this example, the appellant mentions several items of evidence, namely the testimonies of multiple witnesses, without providing the specific content of these testimonies. These witness testimonies were previously presented during the court proceedings or discussed during the presentation of evidence. The appellant's current discourse in the courtroom debate once again references these testimonies, creating intertextuality and forming an evidentiary chain. This not only strengthens the audience's impression that the defendant "did not participate in the asset inventory and assessment" but also provides evidence and support for the appellant's own viewpoint in order to counter the judgment of the first-instance court and the allegations made by the prosecution.

Due to multiple stages of courtroom proceedings, the presence of various individuals, and an emphasis on efficiency in the courtroom trial process, referencing is frequently utilized and often paired with other intertextual methods such as evaluation. Therefore, it is the most commonly used intertextual devices in courtroom discourse. It appears at various stages of the court proceedings, with the highest proportion during courtroom questioning and the presentation of evidence and cross-examination. It is primarily used to mention legal documents, testimonies of witnesses, or physical evidence, and it has evidential characteristics, often serving to substantiate one's own viewpoint with reference to these sources.

2.4. Comment or evaluation

This kind of intertextuality refers to the comment or evaluation on a statement, text, or otherwise invoked voice (Bazerman, 2004). Evaluation includes the specific value positioning or stance adopted by the speaker or author, as well as the negotiation of their position with respect to the realities or potential respondents (Martin & White, 2005). The speaker or author expresses how they feel, what their attitude is, or what their viewpoint is regarding the entities or statements they are discussing (Hunston and Thompson 2000:5). It can be observed that evaluation often provides opinions or judgments in relation to a particular subject or voice, with the evaluated an integral part of the evaluation and forming an intertextual relationship with the author. The author demonstrates their own attitude and viewpoint through the analysis and interpretation of the subject being evaluated, creating new meanings in the interpretation of cited documents in the process. Most evaluations include references to or indirect quotations as part of the commentary. The example (5) analyzed earlier is illustrated as following:

(5) Appellant: Grounds for Appeal: Firstly, in the first-instance court, the appellant was found to have concealed 32.7283 metric tons of black tungsten in finished products and 22.8671 metric tons of white tungsten, which is inconsistent with the objective facts. Subjectively, the appellant did not have the intention to conceal finished products, and there was no subjective intent on the part of the appellant. Objectively, the appellant neither committed nor had the right to commit the act of concealing finished products. 上诉人：上诉理由：一、一审法院认定上诉人隐瞒产成品黑钨三十二点七二八三吨，在成品白钨二十二点八六七一吨，与客观事实不符。上诉人主观上不存在隐瞒产成品和在产品的主观故意，上诉人客观上没有实施也没有权利实施隐瞒产成品的行为。

The appellant first identifies the subject being evaluated through indirect quotation, in which the source is namely “the first-instance court’s determination”, as has been discussed previously. Subsequently, the appellant offers an evaluation, namely, “inconsistent with the objective facts”, and further elaborates on his reasons. Therefore, in this example, indirect quotation is used as a target, and through evaluation, the appellant expresses his attitude and stance towards the target, the first-instance court’s determination and sets the overall perspective for the subsequent exposition.

(9) Defense: I just saw two sheets of paper, which are the accounting vouchers produced by Wu XX. As Wu XX mentioned during his earlier testimony, when he obtained the tax registration certificate on July 20th, the accounting process for the self-rescue production began from that point onward, starting in July. This is logically consistent. Since there was no registration or issuance of the business license and tax registration certificate in June, there was no accounting done for that month. Therefore, the production for June was included and accounted for together with July. This is a logical arrangement. 辩：我刚才看到有两张纸是那个伍XX的记账凭证。那个制表人是伍XX。刚才伍XX在前面质证的时候也讲了，他在办税务登记证的时候，是7月20号吧，7月20号办的这个税务登记证，是从那个时候开始，那个生产自救做帐，从7月份开始做帐，这个是符合逻辑的。因为6月份没有办证嘛，没有办那个营业执照和税务登记证嘛，所以就6月份没有做帐，就把6月份的生产量放在7月份一起来做，这个是合符逻辑的。

The defense attorney first mentioned “two sheets of paper, which are the accounting vouchers produced by Wu XX”, and then indirectly quoted what Wu XX had stated in court, saying, “When he obtained the tax registration certificate, it was on July 20th. He started doing the accounting from that point, starting in July.” Building upon this, the defense attorney made an evaluation, stating that “starting accounting from July makes logical sense”. In other words, an assessment was made regarding the timing of the accounting and the validity of the accounting vouchers, considering them to be “logically consistent”. Textuality is created between reference, indirect quotation, and evaluation.

3. Conclusion

Court trials are vital settings where intertextuality occurs. The prosecution and defense often cite relevant evidence, testimonies, legal statutes, or other pertinent information in their statements to bolster their arguments. There is also a reciprocal referencing, citing, and responding among the opposing parties and witnesses. In Chinese court proceedings, intertextual resources include direct quotation, indirect reference, reference, and evaluation. These resources are abundant and present in various stages of the court trial, with courtroom debates being the most prominent. The primary functions of direct quotes, indirect quotes, and references are often used as evidence to support their own arguments or challenge the opposing party’s viewpoints, followed by establishing targets for subsequent elaboration, refutation, negation, etc., often in conjunction with evaluation. Additionally, these three forms

of intertextuality serve to provide background information. Evaluation intertextuality is commonly used in conjunction with other forms to present one's own viewpoint or to comment on the opposing party's viewpoints or evidence.

Intertextuality plays a crucial role in courtroom proceedings by helping the prosecution and defense build coherence and credibility for their arguments. It allows them to demonstrate the relevance and consistency of their own arguments with those of others, enhancing the logicity and persuasiveness of courtroom debates. Intertextuality in Chinese court proceedings has a strong written characteristic, primarily derived from quotation of legal statutes, legal documents, and especially written testimonies. It is also influenced by the seriousness and formality of the court trial. Additionally, the substantial reliance on written testimonies, coupled with low witness appearance rates, significantly diminishes the authenticity and credibility of testimonies.

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